

THE HON'BLE SRI JUSTICE P.S.NARAYANA

WRIT PETITION NO.20357 OF 2006

DATED 28.09.2006

Between:

B.Siva Prasad.

...

PETITIONER

versus

Venkatagiri Municipality, represented
by its Commissioner, Venkatagiri,
Nellore District.

...

RESPONDENT

WRIT PETITION NO.20357 OF 2006

ORDER:

The matter is coming up for admission today and Sri Nageswar Reddy, learned Standing Counsel takes notice on behalf of the respondent.

2. Heard the learned counsel.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondent in seeking to demolish the structures of building bearing old D.No.10-123 to 10-128, new No.16-337 of South Street, Venkatagiri town by taking away a portion of the land of the petitioner without following due procedure prescribed under the A.P. Municipalities Act as illegal, arbitrary and without any right and consequently direct the respondent not to demolish the structures of the building bearing old D.No.10-123 to 10-128, new No.16-337 of South Street, Venkatagiri town of the petitioner or take any portion of the land of the petitioner and pass such other suitable orders.

4. Several factual details have been narrated in the affidavit filed in support of the Writ Petition.

5. Sri Nageswar Reddy, learned Standing Counsel, representing the respondent-Municipality would submit that the Municipality would not take any action unless and until it follows due process of law.

6. In view of the same, the Writ Petition is disposed of directing the respondent not to resort to any demolition activity relating to the subject matter of the Writ Petition unless and until it follows due process of law as per the provisions of A.P. Municipalities Act. No costs.

28.09.2006

SSR